



ZONING BOARD OF ADJUSTMENT
REGULAR MEETING MINUTES
NOVEMBER 21, 2022

A regular in-person meeting of the Zoning Board of Adjustment was held on Monday, November 21, 2022, in the Dorothy E. Harrington Municipal Council Chambers, 630 Avenue C, Bayonne, New Jersey.

Chairman Adams called the meeting to order at 6:07 p.m. and led all in the Pledge of Allegiance to the Flag. Chairman Adams declared a quorum and advised that the Board has complied with the Open Public Meetings Act/Sunshine Law.

Secretary Lombardi called the roll. Present at the meeting were Chairman Adams, Vice-Chairman DiLullo, Secretary Lombardi, Commissioners Pineiro, DeRos and Sisk-Galvin. Commissioners McCourt and Contey were not present.

Also present were Richard Campisano, Esq., Board Counsel, Robert Russo, PE, City Engineer, Malvika Apte, PP, consulting City Planner, Suzanne Mack, PP, City Planner and Alicia Losonczy, Zoning Board of Adjustment Administrator.

Adoption of Minutes:

Chairman Adams called for the adoption of the minutes from the October 17, 2022 regular meeting.

Commissioner DiLullo made the motion to adopt the minutes and Commissioner DeRos seconded the motion. A unanimous vote of eligible members followed.

Item VI:

Z-21-016 – YAKOV BURAKOWSKY – Site: 112 Kennedy Boulevard; Block 335, Lot 16 *[The applicant is seeking preliminary and final major site plan approval along with use and bulk variances to convert this pre-existing non-conformity from one commercial/two residential to one commercial/three residential units; seeking approval for the detached residential building in the rear of the parcel.]*

John Zucker, Esq., attorney for applicant, gave an overview of the application and asked the Board to accept his exhibits. Mr. Zucker advised that his client purchased the property in 2008 and has a Certificate of Occupancy for the residential use of the building in the rear. He further advised that the parcel has a designation of two commercial units and two residential units.

Witness #1:

Al Sambade, Planner and Architect, of DAL Design Group, was recognized as an expert by the Board and sworn in to provide testimony. Mr. Sambade described the property with a two and a half story building with two residential units on the upper floors and a commercial on the ground floor. He advised that the building in the rear is what we are discussing this evening. Mr. Sambade stated that there are no site or building improvements proposed. He advised that documentary evidence is thirteen years old, however, his code compliance plans were submitted with permits; which led to the Certificate of Occupancy being received. Mr. Sambade spoke to Ms. Apte's report. He testified that the proposal supports the goals and objectives of the Master Plan as well as the objectives of zoning.

Board Questions:

Chairman Adams, Commissioners DiLullo and DeRos questioned Mr. Sambade. Ms. Apte questioned Mr. Sambade.

Audience questions:

There were no questions from the audience.

Statements from the Audience:

Thomas Cotter spoke about the historical use of the property.

Closing Statement from Attorney:

Mr. Zucker asked that the Board vote favorably upon this application.

Closed Caucus:

Chairman Adams stated that the applicant has agreed to brick up the windows and the Board would request coordination with the City Planner as a condition, therefore, he will be in favor of this application. Commissioners DiLullo, Lombardi, DeRos, Pineiro and Sisk-Galvin are not in favor of this application.

Motion:

Commissioner DiLullo made a motion to approve the application subject to any and all conditions spread across the record. Commissioner DeRos seconded the motion.

RECORDED VOTE:

<i>Commissioners</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>	<i>Recuse</i>	<i>Absent</i>	<i>Not voting</i>
Clifford Adams	[X]	[]	[]	[]	[]	[]
Nicholas DiLullo	[]	[X]	[]	[]	[]	[]
Louis Lombardi	[]	[X]	[]	[]	[]	[]
Joseph Pineiro	[]	[X]	[]	[]	[]	[]
Arrigo DeRos, Jr.	[X]	[]	[]	[]	[]	[]
Cindi Sisk-Galvin	[]	[X]	[]	[]	[]	[]
Susan Contey	[]	[]	[]	[]	[X]	[]
Joseph McCourt	[]	[]	[]	[]	[X]	[]

Adoption of Resolutions:

- **Z-22-003 – 646 JFK, LLC – Site: 646 Kennedy Boulevard; Block 188, Lot 40**
 - Commissioner DiLullo made a motion to adopt the resolution and Commissioner Pineiro seconded the motion.

RECORDED VOTE:

<i>Commissioners</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>	<i>Recuse</i>	<i>Absent</i>	<i>Not voting</i>
Clifford Adams	[X]	[]	[]	[]	[]	[]
Nicholas DiLullo	[X]	[]	[]	[]	[]	[]
Louis Lombardi	[X]	[]	[]	[]	[]	[]
Joseph Pineiro	[X]	[]	[]	[]	[]	[]
Arrigo DeRos, Jr.	[X]	[]	[]	[]	[]	[]
Cindi Sisk-Galvin	[]	[]	[]	[]	[]	[X]
Susan Contey	[]	[]	[]	[]	[X]	[]
Joseph McCourt	[]	[]	[]	[]	[]	[X]

- **Z-22-007 – ALEXANDER MACKNIGHT – Site: 100 West 17th Street; BLOCK 238, Lot 43**

- Commissioner DiLullo made a motion to adopt the resolution and Commissioner Pineiro seconded the motion.

RECORDED VOTE:

<i>Commissioners</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>	<i>Recuse</i>	<i>Absent</i>	<i>Not voting</i>
Clifford Adams	[X]	[]	[]	[]	[]	[]
Nicholas DiLullo	[X]	[]	[]	[]	[]	[]
Louis Lombardi	[X]	[]	[]	[]	[]	[]
Joseph Pineiro	[X]	[]	[]	[]	[]	[]
Arrigo DeRos, Jr.	[X]	[]	[]	[]	[]	[]
Cindi Sisk-Galvin	[]	[]	[]	[]	[]	[X]
Susan Contey	[]	[]	[]	[]	[X]	[]
Joseph McCourt	[]	[]	[]	[]	[]	[X]

- **Z-22-008 – 207 BLACKSTONE HOLDINGS, LLC (MAJID MIRZA) – Site: 207 Avenue B; BLOCK 60, LOT 16**

- Commissioner DiLullo made a motion to adopt the resolution and Commissioner Adams seconded the motion.

RECORDED VOTE:

<i>Commissioners</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>	<i>Recuse</i>	<i>Absent</i>	<i>Not voting</i>
Clifford Adams	[X]	[]	[]	[]	[]	[]
Nicholas DiLullo	[X]	[]	[]	[]	[]	[]
Louis Lombardi	[X]	[]	[]	[]	[]	[]
Joseph Pineiro	[X]	[]	[]	[]	[]	[]
Arrigo DeRos, Jr.	[X]	[]	[]	[]	[]	[]
Cindi Sisk-Galvin	[]	[]	[]	[]	[]	[X]
Susan Contey	[]	[]	[]	[]	[X]	[]
Joseph McCourt	[]	[]	[]	[]	[]	[X]

- **Z-22-010 – STS. PETER AND PAUL GREEK CHURCH – SITE: 93-95 WEST 27TH STREET AND 94-96 WEST 28TH STREET; BLOCK 170, LOTS 2 AND 24**

- Commissioner DiLullo made a motion to adopt the resolution and Commissioner Adams seconded the motion.

RECORDED VOTE:

<i>Commissioners</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>	<i>Recuse</i>	<i>Absent</i>	<i>Not voting</i>
Clifford Adams	[X]	[]	[]	[]	[]	[]
Nicholas DiLullo	[X]	[]	[]	[]	[]	[]
Louis Lombardi	[X]	[]	[]	[]	[]	[]
Joseph Pineiro	[X]	[]	[]	[]	[]	[]
Arrigo DeRos, Jr.	[X]	[]	[]	[]	[]	[]
Cindi Sisk-Galvin	[]	[]	[]	[]	[]	[X]
Susan Contey	[]	[]	[]	[]	[X]	[]
Joseph McCourt	[]	[]	[]	[]	[]	[X]

The meeting adjourned at 7:15 pm.

Susan Bischoff, Certified Shorthand Reporter, 449 Columbia Boulevard, Wood-Ridge, NJ 07075 took a transcript of the meeting.

/akl